



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF STATE LANDS AND FORESTRY

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cc: JRB WJ 4-94
JWC
orig. file

5/037/081

March 2, 1994

Mr. Gene M. Stevenson
P. O. Box 317
Bluff, Utah 84512

Re: San Juan County Limestone Mining Operation

Dear Mr. Stevenson:

I am in receipt of your February 21, 1994, letter concerning the above-captioned issue.

Unfortunately, there has been a great deal of misunderstanding surrounding this mining operation almost from the very beginning. As follows are some of the events and dates pertaining to our ML 45960 lease of state school trust lands.

Mr. Francis Nielson first applied for a building stone and limestone lease on the subject property in May, 1993. The application was approved by the division on May 25. (It is our understanding that Mr. Nielson was acting as agent for Jerry Holliday Construction.) In June, a cultural resources survey was commissioned by Mr. Holliday for a small section of the property. The division was notified on June 28 that the mining operation was underway. In July, we learned that no Division of Oil, Gas and Mining (DOGM) report had been filed. Later that same month, Mr. Holliday did file the proper report with DOGM. In August, the cultural survey report found no impact upon cultural resources and cleared the site for the proposed use. Our division failed to request a reclamation bond until December, but that bond is now in place.



Letter to Mr. Gene M. Stevenson
March 2, 1994
Page No. 2


We do not believe Mr. Holliday began work without a lease. An application was completed and approved before work commenced. However, there were several oversights on our part and that of others. Those deficiencies have been resolved, and the operation is in compliance as of this date.

As to the appropriateness of the operation in that particular area, state school trust lands are held in trust for the benefit of the common schools in Utah. The division is mandated to "optimize and maximize trust lands uses for support of the beneficiaries". While we try to be sensitive to other considerations, activities authorized under present rule and policy and that produce revenues receive priority.

It is obvious from your letter that you have a deep love and appreciation of the land and are offended by the management policies employed by the division. Nevertheless, the policies do exist; and our agency is charged to follow them until and unless they are changed.

While you may be suspicious of my sincerity, I invite you to contact our office with any of your concerns, now or in the future. I will try to mitigate environmental problems to what ever degree possible, especially when known prior to commitment to development.

Sincerely,



SCOTT HIRSCHI
DIRECTOR

SH/lb

cc: Ted Stewart, Executive Director
✓ Jim Carter, Division Director, DOGM
Holland Shepherd, DOGM Sr. Reclamation Specialist
Wayne Hedberg, DOGM
Bob Turri, BLM, San Juan Resource Area
San Juan County Commission
Jan Parmenter, Trust Land Manager